

This land is difficult and uneconomic to manage as part of the public lands and is not suitable for management by other Federal agencies. No significant resource values will be affected by this disposal. The sale is consistent with BLM's planning for the land involved and the public interest will be served by the sale.

Purchasers must be U.S. citizens, 18 years of age or older, a state or state instrumentality authorized to hold property, or a corporation authorized to own real estate in the state in which the land is located.

The land will be offered for sale at public auction using modified bidding procedures authorized under 43 CFR 2711.3-2. Bidding for this parcel is open to all qualified bidders; however, the following adjacent land owners (designated bidders) will be given the opportunity to meet the highest bid received at the sale: Nancy L. Beplat, William F. Cooper, Gerald and Shirley Dilley, Thomas J. Donnelly, Katherine and Rodger Fair, Angela Gomes, Gavin McComas, Weyerhaeuser Company, Nadine Wilkins.

The land will be offered for sale at public auction beginning at 10:00 am, PST on March 15, 1996, at 2890 Chad Drive, Eugene, Oregon 97401-9336. Sale will be by sealed bid only. All sealed bids must be received by the BLM's Eugene District Office at 2890 Chad Drive, Eugene, Oregon 97401-9336, prior to 10:00 a.m. on the date of the sale, March 15, 1996. Bid envelopes must be marked on the lower left front corner, "Sale OR 48830". Bids must be for not less than the appraised FMV specified in this notice. Each sealed bid shall be accompanied by a certified check, postal money order, bank draft, or cashier's check made payable to the Department of Interior, BLM for not less than 10 percent of the amount bid. If the parcel is not sold on the March 15, 1996 sale date, then the land offered will be re-offered to the general public through continuing modified competitive sales. Offers for the unsold parcel will be accepted in a manner consistent with the process described herein; bids will be opened on the 15th day of each month thereafter until the apparent high bid is declared.

Under modified competitive sale procedures the written sealed bids will be opened and an apparent high bid will be declared at the sale. The apparent high bidder and the designated bidders will be notified. The designated bidders will be given 30 days from the date of the sale to exercise the preference consideration given to meet the high bid. Should the designated bidders fail to submit a written bid that matches the

apparent high bid within the specified time period, the apparent high bidder shall be declared high bidder. In case of a tie of bids submitted by the designated bidders, the interested bidders would be given an opportunity to submit a written agreement as to the division of the lands, or an additional sealed bid, meeting the above stated requirements, within 30 days of notification of eligibility. At that time the high bidder would be awarded the property. The total purchase price for the land shall be paid within 180 days of the date of this sale.

The terms and conditions applicable to the sale are as follows:

1. A right-of-way for ditches and canals will be reserved to the United States under the authority of the Act of August 30, 1890 (26 Stat. 291; 43 U.S.C. 945).

2. The mineral interest being offered for conveyance have no known mineral value. A bid submitted will constitute an application for conveyance of the mineral estate in accordance with Section 209 of the Federal Land Policy and Management Act. All qualified bidders must include with their bid deposit a non refundable \$50.00 filing fee for the conveyance of the mineral estate.

3. The patent will be issued subject to all valid existing rights and reservations of record.

**DATES:** For a period of 45 days from the date of publication of this notice in the Federal Register, interested parties may submit comments to the District Manager, Bureau of Land Management, 2890 Chad Drive, Eugene, Oregon 97401-9336. Objections would be reviewed by the State Director who may sustain, vacate, or modify this realty action. In absence of any objections, this realty action will become the final determination of the Department of the Interior.

**ADDRESSES:** Detailed information concerning the sale, including the reservations, procedures for and conditions of sale, and planning and environmental documents, is available at the Eugene District Office, Bureau of Land Management, 2890 Chad Drive, Eugene, Oregon 97401-9336.

**FOR FURTHER INFORMATION CONTACT:** Steve Madsen, Realty Specialist, Eugene District Office, at (541) 683-6948.

Date of Issue: December 15, 1995.  
Lee Lauritzen,  
Eugene Dist. Manager, Acting.  
[FR Doc. 95-31431 Filed 12-27-95; 8:45 am]  
**BILLING CODE 4310-33-P**

[OR-125-06-6332-00: GP-0041]

## Closures and Restrictions

**AGENCY:** Bureau of Land Management (BLM), Interior.

**ACTION:** Notice of restrictions, Spruce Reach adjacent to Dean Creek Elk Viewing Area.

**SUMMARY:** Pursuant to 43 CFR part 8364, the BLM will prohibit hunting, shooting firearms, igniting fireworks and other explosive devices within the area known as Spruce Reach, adjacent to Dean Creek Elk Viewing Area. Spruce Reach is approximately 56 acres. This restriction will apply year round. BLM and Oregon Department of Fish and Wildlife employees, agents, contractors, and cooperators are exempt from this restriction while in the performance of official duties. The BLM acquired Spruce Reach to further enhance, complement and protect the watchable wildlife and other qualities found at the 1,033-acre Dean Creek Elk Viewing Area. Spruce Reach is considered part of the Elk Viewing Area. Dean Creek Elk Viewing Area supports a large herd of resident Roosevelt elk that are readily visible from a public highway. The area also supports other watchable wildlife. The previously acquired acreage already have the above restrictions. The purpose for the restrictions at Spruce Reach is to provide a means by which the Secretary of the Interior through the BLM, may control and manage public use of the area to effectively implement management objectives and provide the watchable wildlife with habitat that is free from public disturbance or harassment. The restrictions will also provide for public safety by designating safe viewing areas with greater opportunities to view wildlife.

The restricted area is depicted on a Dean Creek Elk Viewing Area map. The map and copies of this restriction notice are available from the Coos Bay District Office, Bureau of Land Management, 1300 Airport Lane, North Bend, Oregon 97459.

This restriction order is effective immediately and shall remain in effect until revised, revoked, or amended by the authorized officer pursuant to 43 CFR 8360. Any person who violates this restriction notice may be subject to a maximum fine of \$1,000 or imprisonment not to exceed 12 months or both under authority of 43 CFR 8360.0-7.

**Restricted Areas**

Spruce Reach is located approximately three miles east of Reedsport, Oregon, adjacent to Oregon State Highway 38 and Dean Creek Elk Viewing Area and is further described as follows:

Township 21 South, Range 11 West,  
Willamette Meridian

Sec. 32 M&B within lot 8

Sec. 33 M&B of lots 5, 6, and 7 and  
S $\frac{1}{2}$ SW $\frac{1}{4}$  and SW $\frac{1}{4}$ SE $\frac{1}{4}$

All north of Oregon State Highway 38.

**FOR FURTHER INFORMATION CONTACT:**

Larry Johnston, Park Ranger, Umpqua Resource Area, Coos Bay District, Bureau of Land Management, 1300 Airport Lane, North Bend, Oregon 97459, Telephone: (541) 756-0100.

Daryl L. Albiston,

*Umpqua Area Manager.*

[FR Doc. 95-31350 Filed 12-27-95; 8:45 am]

BILLING CODE 4310-33-M

**INTERSTATE COMMERCE COMMISSION**

[Finance Docket No. 32818]

**Coast Enterprises, Inc.—Acquisition Exemption—Sierra Pacific Coast Railway, Inc.; Sierra Railroad, a Division of Coast Enterprises, Inc.—Operation Exemption—Coast Enterprises, Inc.**

Coast Enterprises, Inc. (Coast) and Sierra Railroad, a Division of Coast Enterprises, Inc. (SSR), have filed a verified notice under 49 CFR Part 1150, Subpart D—Exempt Transactions for Coast to acquire from Sierra Pacific Coast Railway, Inc. (SPCR) and for SSR to operate, approximately 49 miles of rail line, between milepost 0.0 at Oakdale, in Stanislaus County, CA, and the end of the line at milepost 49.0 at Fassler, in Tuolumne County, CA.<sup>1</sup>

The transaction was consummated on or about September 29, 1995. The notice of exemption was filed on November 27, 1995, and became effective, pursuant to 49 CFR 1150 Subpart D, on December 4, 1995. On or about July 1, 1995, SRR filed a small carrier transfer application with the Commission seeking approval for SRR's acquisition of the line from SPCR. That application was rejected.<sup>2</sup> In addition, Coast's and SRR's representative informed the

Commission staff that their original representative that handled this case left the firm, and the case had to be handled by another representative with guidance from our Office of Public Assistance. It would appear that Coast and SSR were unaware that consummation should not have occurred before the effective date of the exemption.

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to reopen the proceeding to revoke the exemption under 49 U.S.C. 10505(d) may be filed at any time. The filing of a petition to revoke will not stay the exemption's effectiveness. An original and 10 copies of all pleadings, referring to Finance Docket No. 32818, must be filed with the Office of the Secretary, Case Control Branch, Interstate Commerce Commission,<sup>3</sup> Washington, DC 20423. In addition, a copy of each pleading must be served on Michael G. Hart, President, Coast Enterprises, Inc. 17516 Old Summit Road, Los Gatos, CA 95030.

Decided: December 20, 1995.

By the Commission, David M. Konschnik,  
Director, Office of Proceedings.

Vernon A. Williams,

*Secretary.*

[FR Doc. 95-31401 Filed 12-27-95; 8:45 am]

BILLING CODE 7035-01-P

[Finance Docket No. 32807]

**Minnesota River Bridge Company—Acquisition and Operation Exemption—Soo Line Railroad Company d/b/a CP Rail System**

Minnesota River Bridge Company (MRBC), a noncarrier, has filed a notice of exemption to acquire and operate approximately 1.11 miles of track, including a railroad bridge over the Minnesota River, owned by the Soo Line Railroad Company d/b/a CP Rail System (CPRS), between milepost 26.0, near the city of Bloomington, in Hennepin County, MN, to milepost 27.11, near the city of Savage, in Scott County, MN. As part of the agreement between MRBC and CPRS, CPRS will retain trackage rights over the line. The parties expected to consummate the acquisition on or after December 13, 1995.

This proceeding is related to Twin Cities & Western Railroad Company—Operation Exemption—Minnesota River Bridge Company, Finance Docket No. 32808, wherein Twin Cities & Western

Railroad Company (TCW) filed a notice of exemption to operate the line.<sup>1</sup> MRBC will retain a residual obligation to provide common carrier service on the line. TCW and MRBC expected to enter into an operation agreement on or after December 13, 1995, and expected to consummate that transaction on or after December 14, 1995. Also related to this proceeding is Douglas M. Head, Kent P. Shoemaker, and Charles H. Clay—Continuance in Control Exemption—Minnesota River Bridge Company, Finance Docket No. 32810, in which the owners of MRBC have concurrently filed a petition of exemption to continue in control of MRBC when it becomes a rail carrier upon consummation of the transactions described in this notice.<sup>2</sup>

Any comments must be filed with the Commission<sup>3</sup> and served on: Jo A. Deroche, Esq., Weiner, Brodsky, Sidman & Kider, P.C., Suite 800, 1350 New York Avenue, N.W. Washington, DC 20005-4797.

This notice is filed under 49 CFR 1150.31. If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10505(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

Decided: December 20, 1995.

<sup>1</sup> Concurrently with Finance Docket No. 32808, TCW filed a verified notice of exemption in Twin Cities & Western Railroad Company—Trackage Rights Exemption—Soo Line Railroad Company d/b/a CP Rail System, Finance Docket No. 32809, to obtain overhead trackage rights on track which connects with the subject line. The connecting track is owned by CPRS, extends from milepost 17.23 at St. Louis Park, MN, and connects at milepost 26.00, near Bloomington, MN. It also connects with the subject line at milepost 27.11, and extends to milepost 28.04, near Savage, MN. The trackage rights were scheduled to become effective on or after December 14, 1995.

<sup>2</sup> Douglas M. Head, Kent P. Shoemaker, and Charles H. Clay, the stockholders of MRBC, do not qualify for a class exemption under 49 CFR 1180.2(d)(2) because: (1) they hold controlling ownership of MRBC, TCW, and Red River Valley & Western Railroad Company; and (2) the 1.11 mile line to be acquired here from CPRS connects with a rail line owned by CPRS, on which TCW, controlled by the above-named stockholders, anticipates acquiring trackage rights in Finance Docket No. 32809. Thus, the stockholders have established a voting trust to insulate themselves from authorized acquisition of control of MRBC until the petition for exemption for control is acted upon.

<sup>3</sup> Legislation to sunset the Commission on December 31, 1995, and transfer the remaining functions is now under consideration in Congress. Until further notice, parties submitting pleadings should continue to use the current name and address: Interstate Commerce Commission, 1201 Constitution Avenue, N.W., Washington, DC 20423.

<sup>1</sup> Although the verified notice was filed by SRR, it is signed by Michael G. Hart in his capacity as President of Coast. This is sufficient to treat the verified notice as having been filed by both SRR and Coast.

<sup>2</sup> A small carrier transfer application is for motor carriers. This procedure is not available for rail transactions.

<sup>3</sup> Legislation to sunset the Commission on December 31, 1995, and transfer remaining functions is now under consideration in Congress. Until further notice, parties submitting pleadings should continue to use the current name and address.